

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

RIVERBEND ENVIRONMENTAL SERVICES, LLC

PLAINTIFF

vs.

CIVIL ACTION NO. 5:22-CV-31-DCB-BWR

CRUM & FORSTER SPECIALTY INSURANCE COMPANY

DEFENDANT

ORDER

Before the Court is Plaintiff Riverbend Environmental Services, LLC ("Plaintiff")'s Motion to Refer to Bankruptcy [ECF No. 66] and Defendant Crum & Forster Specialty Insurance Company ("Defendant")'s Motion for Summary Judgment [ECF No. 80]. The Court is informed that the parties reached a settlement of this matter during a telephonic settlement conference held before United States Magistrate Judge Bradley W. Rath. See Docket Minute Entry 1/29/2024. The settlement is subject to the United States Bankruptcy Court's approval in Chapter 11 Case No. 19-03828-KMS. The Court further is informed that the approval process in the Chapter 11 case has commenced and is ongoing.

Given that the parties have reached a settlement of their differences in this case, the Court finds it appropriate to dismiss as moot and without prejudice the pending motions

(i.e., [ECF No. 66] and [ECF No. 80])). The parties will be afforded the opportunity to re-file their respective motions if bankruptcy court approval in the Chapter 11 case is not obtained.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Refer to Bankruptcy [ECF No. 66] and Defendant's Motion for Summary Judgment [ECF No. 80] are dismissed without prejudice as moot.

IT IS FURTHER ORDERED that, if the United States Bankruptcy Court does not approve the settlement, the parties shall have the opportunity to re-file their respective motions that are dismissed hereby.

SO ORDERED, this the 27th day of February 2024.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE

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